

### EXAMINER'S COMMENT(S)

#### *Application and Claims Status*

1. Applicant's amendment(s) and response filed 08/28/2009 are acknowledged and entered.
2. Claims 1 and 3-42 were pending. Applicants have amended claims 1, 6, 7, and 42; cancelled claims 4, 5, and 12; and added claims 43-45. Therefore, claims 1, 3, 6-11, and 13-45 are currently pending. Claims 17-41 are drawn to non-elected species and/or inventions, wherein the election was made *without traverse* in the reply filed on 06/03/2008, and thus these claims remain withdrawn from further consideration by the examiner, 37 CFR 1.142(b), there being no allowable generic claim. Accordingly, claims 1, 3, 6-11, 13-16, and 42-45 are allowable.
3. This application is in condition for allowance except for the presence of claims 17-41 directed to inventions non-elected without traverse. Accordingly, claims 17-41 have been cancelled.

### EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James J. Merrick on 12/09/2009.

The application has been amended as follows: Please **cancel** claims 17-41.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is 571-272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MY-CHAU T. TRAN/  
Primary Examiner, Art Unit 2629

December 30, 2009